

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:21-CV-463-JRG
)	
SAMSUNG ELECTRONICS CO., LTD.,)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS AMERICA,)	
INC., SAMSUNG SEMICONDUCTOR,)	
INC.,)	
)	
Defendants.)	

**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST INC.'S
MOTION FOR LEAVE TO SUPPLEMENT EXPERT REPORTS**

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Motion for Leave to Supplement Expert Reports. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of the Supplemental Expert Report of Mr. David Kennedy, dated January 20, 2023.

3. Attached as **Exhibit 2** is a true and correct excerpted copy of a redline comparison of the Supplemental Expert Report of Michael C. Brogioli, Ph.D. dated February 6, 2023 and the original Expert Report of Dr. Brogioli dated December 27, 2022. The comparison shows all the additions made in the supplemental report (i.e. four footnotes).

4. Attached as **Exhibit 3** is a true and correct copy of the Second Supplemental Expert Report of Mr. David Kennedy, dated February 8, 2023.

5. Attached as **Exhibit 4** is a true and correct copy of the Third Supplemental Expert Report of Mr. David Kennedy, dated February 14, 2023.

6. Attached as **Exhibit 5** is a true and correct copy of the transcript of the Markman Hearing held before the Honorable Roy Payne, US Magistrate Judge, in this Action, dated November 4, 2022.

7. Attached as **Exhibit 6** is a true and correct copy of the rough transcript of the deposition of Mr. David Kennedy, dated February 15, 2023.

8. Attached as **Exhibit 7** is a true and correct copy of the transcript of the deposition of Dr. Michael C. Brogioli, dated February 8, 2023.

Executed on February 23, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby
Jason G. Sheasby